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A ROUNDTABLE: The Battle Over 'Covert' Activities in Central Americ

Can Congress Keep Secrets and Keep a Rein on the C.I.A.?

Question:

The House Foreign Affairs Committee voted last week to support the House Intelligence Committee bill that would terminate covert activities in Nicaragua. Does Congress have a legitimate role in the conduct and management of covert activities?

Mr. Wallop. It has a role but it ought not to think that it's the President and the executive branch — actions such as the House committee indulged in, where you leave off matters of judgment, of oversight for purely partisan political acts.

Q. There was partisan momentum?

Mr. Wallop. Absolutely. That committee knew from the beginning what was going on and that the requirements they had laid down a year ago were being followed to the T.

Mr. Fowler. I fail to see how the question of a covert activity that is no longer covert can be made a question of partisanship; it is just not fraught with political advantage.

The record was clear. We had an operation in Nicaragua that was exposed by the press, brought to the attention of the world by the coverage given to the contras, who thanked the American people on television for supporting their revolution through the C.I.A. The House committee was saying that we had common ground in the interdiction of arms (for El Salvador) that were coming out of Nicaragua but that to continue covertly, in the light of all evidence to the contrary, should not be done.

Mr. Bader. Covert action is intended to be an extension of foreign policy; you do not want to do anything clandestine that is inconsistent with what you are avowing publicly. The Administration saw fit in April to make a public spectacle of that clandestine activity in Nicaragua by facilitating the press to come into the camps. The uproar in the House came in May, in part because many members were skeptical about whether there was a connection between avowed U.S. policy not to destabilize or destroy the Government and what many thought was actually happening.

Mr. Wallop. It is the political dimension that has damaged the credibility of the House Intelligence Committee. These committees have not, until now, been partisan. There have been large, momentous disagreements within them, but they have been philosophical ones.

Mr. Cline. It tends to discredit the procedures. I support those procedures but always with the reservation that political interests being as paramount as they are in the lives of politicians, if something really difficult came along, the procedure might break down. It has become a political football. Once that happens, I don't see how you can ask the President and the C.I.A. to disclose covert actions in advance.

Mr. Bader. Congress has the obligation and authority to review organization, activities and budget and, through the oversight committees, the right to dispute the President on whether a particular covert activity is right or wrong. It also can vote to take it to the floor and the Senate can decide that such an activity is wrong; information concerning it can be disclosed by vote. So the mechanisms are there.

Mr. Cline. The process was supposed to get each house of Congress involved before you turned it out to the press and the public. That's what seems disgraceful about the House action.

Mr. Bader. This has been the first time in six or seven years that there has been a brouhaha of this dimension.

Mr. Cline. Isn't that partly because there haven't been any major controversial covert actions?

Mr. Wallop. The Boland Amendment said it was not our purpose to overthrow the (Nicaraguan) Government. Indeed, it is not. It may well be the insurgents' and you can see why, when talking to television, they would express their thanks and do anything they could to gain an attraction to their movement among people within that part of the world. But if it still is not our purpose, then the Boland Amendment has been abided by.

Mr. Cline. Wrapping the U.S. flag around these groups is very popular, and usually there's nothing the C.I.A. can do to stop it if you're going to support such movements.

Q. Didn't the President refer to the guerrillas in Nicaragua as freedom fighters?

Mr. Fowler. It's terribly disingenuous to make the argument the Administration has made that because our *mens rea* (intent) is not the same as theirs, that somehow we have clean hands and can disavow (their) publicly declared intentions of trying to overthrow the Sandinista Government.

We do have common objectives in Central America — to stop the export of revolution in Nicaragua to El Salvador. But there is no reason we cannot do that overtly, with our head held high, in conjunction with our friends in the hemisphere who are very worried about the size of the Sandinista army. Our neighbors

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